

ESTTA Tracking number: **ESTTA732862**

Filing date: **03/11/2016**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91224304
Party	Defendant Ampio Pharmaceuticals, Inc.
Correspondence Address	IRA J LEVY GOODWIN PROCTER LLP 620 EIGHTH AVENUE NEW YORK, NY 10018 UNITED STATES NY-TM-Admin@goodwinprocter.com, ilevy@goodwinprocter.com, jn-ici@goodwinprocter.com
Submission	Other Motions/Papers
Filer's Name	Ira J. Levy
Filer's e-mail	NY-TM-Admin@goodwinprocter.com, ilevy@goodwinprocter.com, jn-ici@goodwinprocter.com
Signature	/ijl/
Date	03/11/2016
Attachments	response TTAB Order.pdf(28418 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Gilead Sciences, Inc.,

Opposer

vs-

Ampio Pharmaceuticals, Inc.

Applicant.

Opposition No 91224304

S.N. 86/298066

Mark: EMTHORA

RESPONSE TO TTAB ORDER

BOX TTAB – NO FEE

Commissioner for Trademarks

P.O. Box 1451, Alexandria, Virginia 22313-1451

Sir:

Applicant, Ampio Pharmaceuticals, Inc., by its attorneys, is responding to the TTAB's Order dated February 24, 2016. Attached is a written consent signed on behalf of Opposer, Gilead Sciences, Inc. by its attorney of record.

Applicant respectfully requests that the Board accept its submission filed on February 19, 2016 withdrawing application no. 86/298066.

Respectfully submitted,

Dated: March 11, 2016

By: Ira J. Levy
Ira J. Levy
GOODWIN PROCTER LLP
620 Eighth Avenue
New York, NY 10018
Tel: (212) 813-8800
Fax: (212) 355-3333

Attorneys for Applicant/Defendant

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Gilead Sciences, Inc.,

Opposer

vs-

Ampio Pharmaceuticals, Inc.

Applicant.

Opposition No 91224304

S.N. 86/298066

Mark: EMTHORA

CONSENT BY OPPOSER TO WITHDRAWAL OF APPLICATION

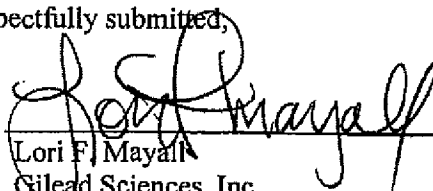
BOX TTAB – NO FEE
Commissioner for Trademarks
P.O. Box 1451, Alexandria, Virginia 22313-1451

Sir:

Opposer, Gilead Sciences, Inc., by its attorney, hereby consents to the withdrawal of
application no. 86/298,066.

Respectfully submitted,

By:


Lori F. Mayall
Gilead Sciences, Inc.
333 Lakeside Dr.
Foster City, CA 94404

Attorney for Opposer